

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 18-20634

HON. DENISE PAGE HOOD

v.

STANFORD LARKIN,

Defendant.

**ORDER GRANTING DEFENDANT’S MOTION FOR TEMPORARY
BOND TO ATTEND HIS BROTHER’S FUNERAL SERVICE [#18]**

On January 15, 2019, Defendant, Stanford Larkin (“Larkin”), pled guilty to one count of Felon in Possession of a Firearm (18 U.S.C. § 922(g)(1)). (Doc # 17) Larkin is scheduled to be sentenced on May 23, 2019 and he is currently in custody in the Wayne County Jail, Division 3 (William Dickerson Detention Facility) (“Wayne County Jail”). On March 14, 2019, the Court denied Larkin’s Motion to Revoke Detention Order and for Release on Bond. (Doc # 20) The Court determined that there was no combination of conditions that would reasonably assure the safety of the community if Larkin was released.

On March 12, 2019, Larkin filed a Motion for Temporary Bond so that he could attend his brother’s funeral service in Ann Arbor, Michigan. (Doc # 18)

Larkin's brother passed away on March 9, 2019 and the funeral service is scheduled to take place on March 16, 2019 at 10:00 a.m. Larkin requests that his mother be allowed to pick him up from the Wayne County Jail on March 16, 2019, escort him to the funeral, and then return him to the Wayne County Jail by 3:00 p.m. on that same day. The Government filed its Response on March 13, 2019. (Doc # 19) The Government responds by acknowledging that it is concerned about the risks posed by Larkin to the community if he is temporarily released. However, the Government also takes the position that if Larkin is released, he should be placed under conditions that would maximize the protection of the public. Further, the Government would approve of Larkin being temporarily released with a GPS monitoring device as long as he remains in the custody of a third party who has been approved by pretrial services.

Detention pending sentencing is governed by 18 U.S.C. § 3143(a). Under 18 U.S.C. § 3143(a), pending the imposition of sentence, a defendant shall be detained “unless the judicial officer finds by clear and convincing evidence that the person is not likely to flee or pose a danger to the community if released” on bond or other conditions pursuant to § 3142(b) or (c). *United States v. Vance*, 851 F.2d 166, 168 (6th Cir. 1988). There is a presumption against release and the burden is on the defendant to demonstrate reasons that justify release. *Id.* at 169. The decision to

grant or deny such release is within the district court's discretion. *United States v. Chilingirian*, 280 F.3d 704, 709 (6th Cir. 2002).

Under the circumstances, the Court grants Larkin's request to attend his brother's funeral service. Larkin will be temporarily released into the custody of his mother on March 16, 2019 at 9:00 a.m. and must return to the Wayne County Jail on March 16, 2019 at 3:00 p.m. In order to ensure the safety of the community, Larkin will be released under the condition that he wear an Active GPS tether from the time he is released until he returns to the Wayne County Jail. The Court finds that Larkin will be permitted to attend the funeral service of his brother under these conditions because it will minimize the possibility of Larkin fleeing or causing harm to the community while he is temporarily released.

Accordingly,

IT IS HEREBY ORDERED that Defendant Stanford Larkin's Motion for Temporary Bond to Attend his Brother's Funeral Service (Doc # 18) is **GRANTED**.

IT IS FURTHER ORDERED that Defendant Stanford Larkin will be temporarily released to into the custody of his mother on March 16, 2019 at 9:00 a.m. and must return to the Wayne County Jail, Division 3 (William Dickerson Detention Facility) on March 16, 2019 at 3:00 p.m.

Dated: March 15, 2019

s/Denise Page Hood
Chief Judge, U. S. District Court